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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/918,951	07/31/2001	David Alland	96700/680

CONFIRMATION NO. 3177

FORMALITIES LETTER



OC000000006789979

Elie H. Gendloff, Ph.D., Esq.
AMSTER, ROTHSTEIN & EBENSTEIN
90 Park Avenue
New York, NY 10016

Date Mailed: 09/25/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$683.
 - \$243 for 27 total claims over 20.
 - \$440 for 11 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1103.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

12/31/2001 PROCHM 00000021 011783 09918951

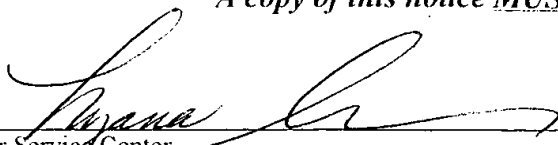
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02 FC:205

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65. OP

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



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PART 2 - COPY TO BE RETURNED WITH RESPONSE



12/28/01

Sector #

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December 20, 2001

via Express Mail

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

Name: Elie H. Gendloff

Signature: Elie H. Gendloff

Re: U.S. Utility Patent Application Serial No. 09/918,951 - Small Entity Status
Title: THE iniB, iniA AND iniC GENES OF MYCOBACTERIA AND METHODS OF USE
Inventors: David Alland, Barry R. Bloom and William R. Jacobs, Jr.
Our File: 96700/680

Dear Sir:

Enclosed please find the following documents for filing with the above-identified patent application in the names of David Alland, Barry R. Bloom and William R. Jacobs, Jr., entitled THE iniB, iniA AND iniC GENES OF MYCOBACTERIA AND METHODS OF USE, comprising the following:

1. a Preliminary Amendment and Response to Notice to File Missing Parts of Nonprovisional Application of September 25, 2001, including a request for a One Month Extension of Time (5 pages), with attached Appendix A (3 pages);
2. a copy of the Notice to File Missing Parts of Nonprovisional Application (2 pages);
3. a printed copy of the Sequence Listing (12 pages);
4. an Amster, Rothstein & Ebenstein check in the amount of \$475.00 to cover the basic filing fee, the late fee and the one month extension of time fee for small entity status; and

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5. a Return receipt postcard.

Small entity status was previously established and is still proper.

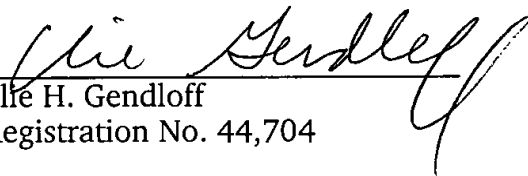
Please acknowledge receipt of the enclosed papers by stamping the enclosed postcard and returning the same to us.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
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90 Park Avenue
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(212) 697-5995

Dated: December 20, 2001
New York, New York

By:


Elie H. Gendloff
Registration No. 44,704